

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

<p>FRANK REGULA, <i>Plaintiff-Appellant,</i> v. DELTA FAMILY-CARE DISABILITY SURVIVORSHIP PLAN, <i>Defendant-Appellee.</i></p>	}	<p>No. 98-55853 D.C. No. CV-96-07304- RSWL Central District of California, Los Angeles ORDER</p>
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Filed January 20, 2004

Before: Betty B. Fletcher, Dorothy W. Nelson, and
Melvin Brunetti, Circuit Judges.

ORDER

In light of the Supreme Court's decision in *Black & Decker v. Nord*, 123 S. Ct. 1965 (2003), we vacate our opinion, 266 F.3d 1130 (9th Cir. 2001), and reinstate the judgment of the district court.

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